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Comments on the proposed conservation of the specific name of *Varanus teriae* Sprackland, 1991 (Reptilia, Squamata)

(Case 3043; see BZN **54**: 100–103, 250–251; **55**: 37–39)

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We should like to argue against the application by Prof Robert Sprackland, Prof Hobart Smith and Dr Peter Strimple, published in BZN **54**: 100–103 (June 1997).

1. Wells & Wellington (1985a) described *Odatria keithhornei* based on the holotype QM (= Queensland Museum) J31566 from Buthen Buthen, Nesbit River, Cape York Peninsula, Queensland, collected by Gregory Czechura in August 1978. They 'diagnosed' their new species only by referring to Czechura's (1980) paper (which had recorded emerald monitors from Australia for the first time): 'A member of the *Odatria prasinus* complex, believed confined to Cape York Peninsula, Queensland and readily identified by referring to the excellent diagnostic and descriptive data in Czechura (1980). The holotype of *Odatria keithhornei* is also figured by Czechura (1980: Plate 1)' and concluded with the etymological derivation: 'Named for Mr. Keith Horne, herpetologist of Sydney, New South Wales'.

2. In June 1987 the President of the Australian Society of Herpetologists proposed the suppression for nomenclatural purposes (Case 2531, BZN **44**: 116–121) of three works by Richard W. Wells and C. Ross Wellington (Wells & Wellington, 1984, 1985a, 1985b) — one of them (Wells & Wellington, 1985a) including the description of *Odatria keithhornei*. Reasons for the proposed suppression included the facts that Wells & Wellington (1984, 1985a, 1985b) published their concepts in their own journal independent of any expert opinion and, it was stated, largely without any solid taxonomic basis. Several comments concerning this application appeared in the

Bulletin from 1987 to 1990. Eventually the Commission decided (see BZN **48**: 337–338, December 1991) 'that it will not vote on this application, which it considers to be outside its remit', and pointed out 'that the provisions of the Code apply to all names directly and indirectly involved in this case'. *Odatria keithhornei* Wells & Wellington, 1985 is thus an available name.

3. Unaware of the article by Wells & Wellington (1985a) and their description of *Odatria keithhornei*, Sprackland (1991) described the same varanid species as *Varanus teriae*. His description was also based on QMJ31566 as holotype, thus rendering *V. teriae* a junior objective synonym of *Odatria keithhornei*, currently cited as *Varanus* (*Euprepiosaurus*) *keithhornei* (see Böhme, 1988; Sprackland, 1991; and Ziegler & Böhme, 1997).

4. The Commission also concluded in its 1991 decision on the 1987 case (BZN **48**: 337–338) 'that the aim of the application would be best achieved by leaving the issues to specialists to be settled through usage, any submissions to the Commission being confined to names rather than to works'. This means that the name *V. teriae* has to fall under the synonymy of *V. keithhornei*.

5. Covacevich & Couper (1994) recorded the synonymy of *Odatria keithhornei* and *Varanus teriae* but did not indicate which name was valid. The name *V. keithhornei* with its junior synonym *V. teriae* can be found in Bennett (1996 [wrongly spelled as '*Varanus keithhorni*'] and 1998 — two of the most recent general references dealing with monitor lizards on a world-wide scale), Kirschner, Müller & Seufer (1996), Lemm (1997), Ziegler & Böhme (1997), Böhme (1997) and Böhme & Ziegler (1998). Additionally, in our systematic work (Ziegler & Böhme, 1997), in which we cite all valid subspecies, species and subgenera of the genus *Varanus*, we have drawn attention to the consequences of the works by Wells & Wellington (1984, 1985a) concerning varanid systematics. We have extensively discussed (pp. 15–16, 158–160) the nomenclatural situation of *V. keithhornei* in the light of the 1991 Commission decision. The purely taxonomic and nomenclatural work of Böhme (1997), an updated and revised checklist complementing the famous 'Tierreich' list by Robert Mertens (1963), lists *V. keithhornei* with its junior synonym *V. teriae*.

6. Finally, a particularly weak argument of Sprackland and colleagues (para. 3 of their application) is that the lizard 'features in documentation relating to conservation of protected species ... and is listed under the name *Varanus teriae* in the *World checklist of threatened amphibians and reptiles* (1993, p. 50) and in the most recent publication (1996) issued by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)'. We would like to emphasize that conservation and legislative authorities are users rather than creators of taxonomic progress and possible nomenclatural consequences. Because of this they should rely on scientific reasoning and not vice versa.

7. From the reasons outlined above we request that the application 3043 be formally rejected.

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I agree with most of the facts given in Case 3043 on the taxonomic history of *Varanus keithhornei* (Wells & Wellington, 1985). However, for the reasons given below, I disagree with the application.

1. Alleged difficulties by the senior author (Sprackland) in obtaining the original description of *Odatria keithhornei* are not grounds for suppression of the name. The publications of Wells & Wellington (1984, 1985a, 1985b) were held by a number of major institutions and the Commission Secretariat, so obtaining a copy was by no means an insurmountable problem. Many older descriptions were published in rare, obscure and little known publications, which in my view present far greater accessibility problems.

2. It is unfortunate that Sprackland (1991) later described the same taxon as Wells & Wellington (1985a) under a different name, but these events have occurred many times throughout history and I see no reason why this case should be different from others. In crude terms, *teriae* is a junior synonym and that is it. A perusal of Cogger, Cameron & Cogger (1983) shows that junior synonyms (invalid names) have often been frequently used (particularly in earlier times, when for one reason or another an author failed to be aware of earlier and often obscure publications), only to be replaced later. The Australian herpetological community has had no trouble adapting to newly-realised correct names brought to their attention. This has been reflected in the benchmark publications of Cogger (1975, 1979, 1986, 1992) in which frequently used names are discarded with great regularity. Use of previously little known or unheard-of names by a single author such as Cogger often precedes their almost immediate and wider acceptance by the herpetological community.

3. Sprackland could not have been unaware that the (1985a, 1985b) Wells & Wellington publications were taxonomic in nature and that they described many new nominal species, or at least purported to. I therefore submit that he should have made further inquiries about these publications and obtained copies before describing a new Australian taxon.

4. I agree that for the past six years common usage has favored *Varanus teriae* over *V. keithhornei*, as noted by the authors of the application and others. However I believe that the name *keithhornei* is now gaining wider acceptance, particularly since publication and circulation of Covacevich & Couper (1994), and without adverse Commission intervention it will become the preferred and generally used name by

most authors within a relatively short period, since it is the senior synonym. The three most recent publications listing the species all gave its name as *keithhornei* and noted that this is a senior synonym of *teriae* (see Bennett, 1996, 1998; and Lemm, 1997). All three publications have very high circulation, the last appearing in the most widely circulated herpetological periodical in the world, the magazine *Reptiles*. Lemm (1997) listed 'a relatively recent herp find, the canopy monitor (*Varanus keithhornei* — formerly *teriae*)'. General acceptance of a newly-realised correct name over an incorrect one has occurred many times in recent history (certainly in Australian herpetology) and this case should not be treated any differently.

5. The authors of Case 3043 cite Bennett's (1995) use of *teriae* as evidence in favor of their common usage argument. They appear to have overlooked the fact that the same author's subsequent publication, Bennett (1996), correctly used *keithhornei*, citing *teriae* as a junior synonym. Bennett (1998) again used the name *keithhornei*. Contention by Sprackland and colleagues (see BZN **54**: 250 51) that 'nor has the name *keithhornei* ever been recorded' is patently incorrect as demonstrated by Bennett (1996, 1998) and Lemm (1997); at least one of these publications appeared well before Case 3043.

6. The argument by Sprackland et. al (BZN **54**: 250) that some authors may inadvertently think *V. keithhornei* and *V. teriae* are separate species lacks credibility. The same argument could be applied to all other taxa for which synonyms have ever existed, and the Commission could be called on to suppress each and every invalid name.

7. The need to consult an original description when writing about a species or recording new information about biology, taxonomy or other matters is clearly not always necessary. A statement (see BZN **54**: 251) by the authors of Case 3043 that 'Sprackland's (1991) work must be consulted as the original study giving a full description ...' has no relevance as to what the taxon should be called. Taxonomic revisions and analyses are common in zoology, particularly when the original description may be brief, old or inadequate, but such studies do not give the later authors the right to rename species in violation of well established nomenclatural rules.

8. Suppression of *Odatria keithhornei* Wells & Wellington, 1985 in line with Case 3043 would cause confusion for herpetologists both within and outside Australia. Most now recognise the species as *Varanus keithhornei*, and that it was also formerly known as *V. teriae*. I propose that Case 3043 be rejected.

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